



Attorney Docket: 1924DIV III CON2
(203-2145 DIV III CON2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Keith L. Milliman et al.

SERIAL NO.: 10/700,250

GROUP UNIT: Unknown

FILED: November 3, 2003

DATED: January 30, 2004

FOR: **SURGICAL STAPLING APPARATUS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

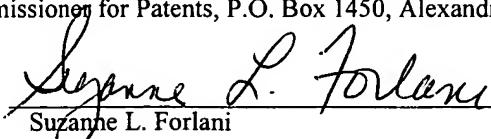
Pursuant to Applicant(s) duty of disclosure, the information listed in the attached six (6) sheets of form PTO-1449 is brought to the attention of the Examiner.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 30, 2004.

Dated: January 30, 2004


Suzanne L. Forlani

possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- This information disclosure statement is being filed within three (3) months of the filing date of this application.
- This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- Enclosed herewith is a certificate under 37 C.F.R. §1.97(e).
- Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- Enclosed by check is the petition fee of \$180.00. 37 C.F.R. §1.17(i)(1))
- Please charge the \$180.00 petition fee to Deposit Account No. 50-2140.
- Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17(i)(1) are required for

the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



James M. Loeffler
Reg. No. 37,873
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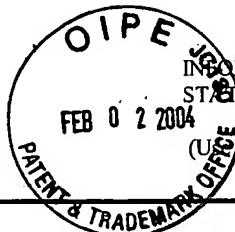
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(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,330,965	12/2001	Milliman et al.			
		6,250,532	6/2001	Green et al.			
		6,241,139	6/2001	Milliman et al.			
		6,109,500	8/2000	Alli et al.			
		6,079,606	6/2000	Milliman et al.			
		6,032,849	3/2000	Mastri et al.			
		6,010,054	1/2000	Johnson et al.			
		5,954,259	9/1999	Viola et al.			
		5,911,353	6/1999	Bolanos et al.			
		5,901,895	5/1999	Heaton et al.			
		5,897,562	4/1999	Bolanos et al.			
		5,865,361	2/1999	Milliman			
		5,862,972	1/1999	Green et al.			
		5,855,311	1/1999	Hamblin et al.			
		5,826,776	10/1998	Schulze et al.			
		5,820,009	10/1998	Melling et al.			
		5,816,471	10/1998	Plyley et al.			
		5,797,538	8/1998	Heaton et al.			
		5,797,537	8/1998	Oberlin et al.			
		5,782,396	7/1998	Mastri et al.			

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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,779,130	7/1998	Alesi et al.			
		5,762,256	6/1998	Mastri et al.			
		5,762,255	6/1998	Chrisman et al.			
		5,752,644	5/1998	Bolanos et al.			
		5,749,893	5/1998	Vidal et al.			
		5,728,110	3/1998	Vidal et al.			
		5,690,269	11/1997	Bolanos et al.			
		5,647,526	7/1997	Green et al.			
		5,636,780	6/1997	Green et al.			
		5,630,540	5/1997	Blewett			
		5,630,539	5/1997	Plyley et al.			
		5,605,272	2/1997	Witt et al.			
		5,586,711	12/1996	Plyley et al.			
		5,582,617	12/1996	Klieman et al.			
		5,554,169	9/1996	Green et al.			
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		5,507,426	4/1996	Young et al.			
		5,505,363	4/1996	Green et al.			
		5,487,500	1/1996	Knodel et al.			
		5,486,185	1/1996	Freitas et al.			
		5,485,952	1/1996	Fontayne			

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		5,484,451	1/1996	Akopov et al.			
		5,480,089	1/1996	Blewett			
		5,474,571	12/1995	Lang			
		5,474,566	12/1995	Alesi et al.			
		5,467,911	11/21/95	Tsuruta et al.			
		5,465,895	11/1995	Knodel et al.			
		5,433,721	7/1995	Hooven et al.			
		5,415,335	5/1995	Knodel, Jr.			
		5,415,334	5/1995	Williamson, IV: Warren P. et al.			
		5,397,046	3/1995	Savage et al.			
		5,383,888	1/1995	Zvenyatsky et al.			
		5,376,095	12/1994	Ortiz			
		5,374,277	12/1994	Hassler			
		5,354,311	10/1994	Kambin et al.			
		5,350,391	9/1994	Iacovelli			
		5,330,502	7/1994	Hassler et al.			
		5,332,142	7/1994	Robinson et al.			
		5,326,013	7/1994	Green et al.			
		5,318,221	6/1994	Green et al.			
		5,312,023	5/1994	Green et al.			

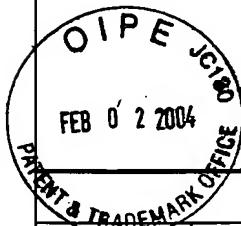
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	5,307,976	5/1994	Olson et al.			
	5,282,826	2/1994	Quadri			
	5,275,608	1/1994	Forman et al.			
	5,209,747	5/1993	Knoepfler			
	5,152,279	10/1992	Wilk			
	5,141,144	8/1992	Foslien et al.			
	5,129,570	7/1992	Schulze et al.			
	5,111,987	5/1992	Moeinzadeh et al.			
	5,083,695	1/1992	Foslien et al.			
	5,074,454	12/1991	Peters			
	5,071,052	12/1991	Rodak et al.			
	5,065,929	11/1991	Schulze et al.			
	5,040,715	8/1991	Green et al.			
	4,991,764	2/1991	Mericle			
	4,978,049	12/1990	Green			
	4,892,244	1/1990	Fox et al.			
	4,880,015	11/1989	Nierman			
	4,863,088	9/1989	Redmond et al.			
	4,763,669	8/1988	Jaeger			
	4,672,964	6/1987	Dee et al.			
	4,633,874	1/1987	Chow et al.			
	4,633,861	1/1987	Chow et al.			

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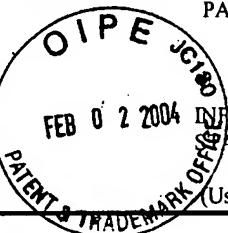
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		0656188	6/1995	EPO				
		0621009	10/1994	EPO				
		DE 4300307	7/1994	GERMANY				
		0591946	4/1994	EPO				
		0592243	4/1994	EPO				
		0589306	3/1994	EPO				
		0484677	5/1992	EPO				
		FR 2681775	10/1991	FRANCE				
		990220	1/1983	RUSSIA				
		980703	12/1982	RUSSIA				

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

			International Search Report, PCT/US98/19465, 16 Feb. 1999

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